



APR 26 2007

PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of

Bruce E. Kramer et al.

U.S. Application No.: 10/033,775

Confirmation No.: 8566

Group Art Unit: 3764

Filed: January 3, 2002

Examiner: Stephen R. Crow

For: Treadmill

SUBMISSION OF APPEAL BRIEF

Mail Stop Appeal Brief - Patents

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Dear Sir:

Appellants submit herewith their appeal brief. A check for the fee of \$250.00

(small entity) is attached.

Respectfully submitted,

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Date: April 26, 2007



PATENT APPLICATION

**THE UNITED STATES PATENT AND TRADEMARK OFFICE
BOARD OF PATENT APPEALS AND INTERFERENCES**

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APPEAL BRIEF

Mail Stop Appeal Brief - Patents

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Dear Sir:

Further to the Notice of Appeal filed December 26, 2006, Appellants submit this
appeal brief for the Board's consideration.

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REAL PARTY IN INTEREST

The real parties in interest are the inventors, Bruce E. Kramer and Joy E. Belin.

RELATED APPEALS AND INTERFERENCES

Appellants do not know of any prior or pending appeals, interferences or judicial proceedings which may be related to, directly affect, or be directly affect by or have a bearing on the Board's decision in the pending appeal.

STATUS OF CLAIMS

Claims 1-24 are rejected and are being appealed.

STATUS OF AMENDMENTS

No amendments were filed after the Final Office Action of July 27, 2006.

SUMMARY OF CLAIMED SUBJECT MATTER

Independent claim 1 is directed to a treadmill comprising a base 22, a pair of parallel, spaced rollers 24 and 26 rotatably disposed in the base, and an endless belt 28 extending around both rollers, wherein the belt has a width which is large enough to accommodate two treadmill users side-by-side, wherein the treadmill further comprises a control panel 36 for a treadmill user on the treadmill. See, e.g., page 4, line 14 to page 5, line 8, page 8, line 21 to page 9, line 17, and Fig. 1 in the present application.

Independent claim 7 is directed to a treadmill comprising a base 22, two pairs of parallel, spaced rollers 241 and 261, and 242 and 262, rotatably disposed in the base, and two endless belts 281 and 282, wherein one belt 281 extends around both rollers in one pair of rollers 241 and 261 and the other belt 282 extends around both rollers in the other pair of rollers 242 and 262, wherein each belt has a width which is large enough to accommodate one treadmill user, and wherein the two belts are positioned to accommodate two treadmill users side-by-side. See, e.g., page 3, lines 10-15, page 5, lines 13-18, the paragraph inserted before the last paragraph on page 11 (see the Amendment filed September 26, 2005), and Fig. 2 (see the Amendment filed September 26, 2005).¹

Independent claim 13 is directed to a method for two treadmill users to exercise side-by-side on a single treadmill, comprising

¹ While Applicants believe that the amendments filed September 26, 2005 are adequately supported by the disclosure in the specification as originally filed (e.g., the disclosure at page 5, lines 13-18), in the event they are considered to be new matter as alleged by the Examiner Applicants simply refer the Board to, e.g., the disclosure at page 3, lines 10-15, and page 5, lines 13-18 in connection with independent claim 7.

providing a treadmill comprising a base, a pair of parallel, spaced rollers rotatably disposed in the base, and an endless belt extending around both rollers, wherein the belt has a width which is large enough to accommodate two treadmill users side-by-side, and moving the belt to exercise two treadmill users positioned side-by-side on the belt. See, e.g., page 3, lines 16-21, and page 8, lines 8-12.

Independent claim 19 is directed to a method for two treadmill users to exercise side-by-side on a single treadmill, comprising

providing a treadmill comprising a base, two pairs of parallel, spaced rollers rotatably disposed in the base, and two endless belts, wherein one belt extends around both rollers in one pair of rollers and the other belt extends around both rollers in the other pair of rollers, wherein each belt has a width which is large enough to accommodate one treadmill user, and wherein the two belts are positioned to accommodate two treadmill users side-by-side, and

moving the belts to exercise two treadmill users positioned side-by-side on the belts. See, e.g., page 3, line 22 to page 4, line 6, and page 8, lines 13-20.

GROUND OF REJECTION TO BE REVIEWED ON APPEAL

Claims 6-12 and 18-24 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the enablement requirement.

Claims 1-5 and 13-18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Moon et al in view of Derksen.

ARGUMENT

Rejection of Claims 6-12 and 18-24 under 35 U.S.C. 112, First Paragraph

On page 3 of the Office Action of July 27, 2006, in paragraph 2, claims 6-12 and 18-24 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the enablement requirement.

The Examiner's Position

The Examiner indicates that the claims contain subject matter which was not described in the specification in such a way as to enable one skilled in the art to make and/or use the invention. In this regard, the Examiner indicates that the pair of endless belts and other structure claimed in claims 7-12 and 18-24 are not described and shown by the disclosure.

Further, on page 4 of the Office Action, the Examiner indicates that the original specification does not support an element 54 which is linear and which extends orthogonally away from a middle portion of the handlebar 46. The Examiner indicates that handle 54 is not integral with the handlebar 46 and handle 54 is not in the "middle portion"; rather, handle 46 possesses a middle portion which cannot be seen due to the display. The Examiner indicates that handle 54 is a separate handlebar.

In addition, the Examiner indicates that Fig. 2 is defective because it fails to teach main things, namely, whether the belts are equal sized and how the extra pair of rollers is supported on the frame. The Examiner indicates that Applicant has introduced a central

support between the pair of treadmills for supporting the rollers, and that this structure lacks support in the specification.

The Examiner indicates that the adage "a picture is worth a thousand words" is applicable here, and in most cases, a drawing is more detailed than the written disclosure.

Further, in his supplemental remarks, the Examiner indicates on page 6 of the Office Action that there are several elements shown in Fig. 2 which do not necessarily follow from the specification as originally filed and thus are considered new matter, including with respect to handlebar element 54. In this regard, the Examiner indicates that it is not a case of whether one would understand that the handlebar would extend perpendicularly and linearly from the middle of the main handle, nor that the extra pair of rollers can be supported on the frame in the manner shown in Fig. 2 but not Fig. 1. The Examiner further indicates that this structural arrangement isn't "readily envisioned by one skilled in the art", contrary to Applicants' assertion.

In the Advisory Action of January 22, 2007, the Examiner indicates that the drawing changes added new matter. Also, the Examiner indicates that the "readily envisioned by one skilled in the art" argument is subjective, and if, as Applicants argue, the prior art doesn't teach the claimed invention, the Examiner questions how the new subject matter is readily envisioned by the prior art. With respect to the handle 46, the Examiner indicates that it still remains unclear how one would realize the linear, horizontal element of the proposed drawing, in addition to how it would be attached to the handle bar 46 from a reading of the specification.

Applicants' Response

Claims 7-12 and 19-24

In response, Applicants submit initially that contrary to the Examiner's position, the pair of endless belts and other structure recited in the claims are described and shown in the specification at, e.g., in the description from page 5, line 13 to page 6, line 16 and in the description in the last paragraph on page 7 in the application. Further, Applicants submit that this disclosure is sufficient to enable one skilled in the art to make and use the invention recited in claims 7-12 and 19-24, particularly when the knowledge in the art is considered, even without considering the drawings in the present case.

In this regard, with respect to the knowledge in the art as to how the extra pair of rollers is supported on the frame, Applicants note that in the Office Action of January 10, 2006, the Examiner himself cited references which teach dual-type treadmills (see paragraph 3 on page 5 of the January 10, 2006 Office Action, as well as the references listed on the PTO-892 form attached to that Office Action). For instance, Fig. 2 in U.S. Patent 5,607,376 and Fig. 1 in U.S. Patent 4,204,673 together with the associated disclosure in each of those patents is evidence of the knowledge in the art as to how an extra pair of rollers is supported on a frame (see the attached copies of U.S. Patents 5,607,376 and 4,204,673). As set forth in MPEP 2164.05, an applicant may cite references to show what one skilled in the art knew at the time of filing the application. Further, as set forth in MPEP 2164.05(a), the specification need not disclose what is well-known to those skilled in the art and preferably omits that which is well-known to those skilled and already available to the public. *In re Buchner*, 929 F.2d 660, 661 18 USPQ2d 1331, 1332 (Fed. Cir. 1991), *Hybritech, Inc. v. Monoclonal Antibodies, Inc.*, 802 F.2d

1367, 1384, 231 USPQ 81, 94 (Fed. Cir. 1986), *cert. denied*, 480 U.S. 947 (1987); and *Lindemann Maschinenfabrik GMBH v. American Hoist & Derrick Co.*, 730 F.2d 1452, 1463, 221 USPQ 481, 489 (Fed. Cir. 1984).

Further, Applicants submit that element 54 (relevant to claims 12 and 24) is supported by, e.g., the disclosure at page 7, lines 13-17 in the original specification. From this description, Applicants submit that one skilled in the art would readily envision an element 54 that is linear and extends orthogonally away from a middle portion of the handlebar 46. While the Examiner indicates that handle 54 is not integral with the handlebar 46 and that handle 54 is not the "middle portion" but rather handle 46 possesses a middle portion which cannot be seen due to the display and handle 54 is a separate handlebar, Applicants submit that one skilled in the art would readily envision middle portion 54 based on the description in the last paragraph on page 7 in the application and would understand that middle portion 54 is connected to the middle part of handle bar 46, as discussed at page 7, lines 13-14. In this regard, Applicants submit that the Examiner is confusing "middle portion" with "middle part" as those terms are used in the specification, e.g., in the last paragraph on page 7.

In regard to Fig. 2, Applicants submit that the answers to the issues raised by the Examiner, namely, whether the belts are equal sized and how the extra pair of rollers is supported on the frame, would be readily understood by one skilled in the art in view of the aforementioned disclosure at page 5, line 13 to page 6, line 16, and the knowledge in the art (e.g., Fig. 2 in U.S. Patent 5,607,376 and Fig. 1 in U.S. Patent 4,204,673 together with the associated disclosure in each of those patents), as discussed above.

With respect to the Examiner's indication that the adage "a picture is worth a thousand words" is applicable here and that in most cases a drawing is more detailed than the written disclosure, Applicants again submit that the figures in the present application are supported by, e.g., the written disclosure on pages 5-7 as discussed above, particularly when that disclosure is considered in view of the skill in the art, as discussed above.

As to the Examiner's indication that the drawing changes added new matter, Applicants respectfully disagree and submit that the drawing changes are supported by the specification as originally filed, including the disclosure at page 5, line 13 to page 6, line 16 and in the description in the last paragraph on page 7 as discussed above. With respect to the Examiner's indication that the "readily envisioned by one skilled in the art" argument is subjective, Applicants disagree and submit that one skilled in the art considering the disclosure in the present specification together with the knowledge in the art (such as U.S. Patents 5,607,376 and 4,204,673 discussed above) would be able to readily envision the claimed invention. Regarding the Examiner's question as to how the new subject matter is readily envisioned by the prior art if the prior art doesn't teach the claimed invention, Applicants submit that the subject matter at issue is readily envisioned by the disclosure in the present specification taken together with the knowledge in the art. As to the Examiner's indication that it still remains unclear how one would realize the linear, horizontal element of the proposed drawing in addition to how it would be attached to the handle bar 46 from a reading of the specification, Applicants submit that the description in the last paragraph on page 7 in the specification (including the disclosure that the middle portion can extend back from a middle part of the front portion and that, when not desired, the middle portion either can be pivoted so that it hangs down

from the front portion or can be removed) would enable one skilled in the art to realize the linear, horizontal element of the proposed drawing in addition to how it would be attached to the handle bar 46.

Claims 6 and 18

Applicants submit that claims 6 and 18 are enabled in a manner similar to that discussed above with respect to claims 12 and 24, except that the issue of the pair of belts and other structure recited in independent claims 7 and 19 does not arise since claims 6 and 18 depend from claims 1 and 13, respectively (in contrast to claims 12 and 24, which depend from claims 7 and 19, respectively).

That is, Applicants submit that element 54 in Fig. 1 is supported by, e.g., the disclosure at page 7, lines 13-17 in the original specification. From this description, Applicants submit that one skilled in the art would readily envision an element 54 that is linear and extends orthogonally away from a middle portion of the handlebar 46. While the Examiner indicates that handle 54 is not integral with the handlebar 46 and that handle 54 is not the "middle portion" but rather handle 46 possesses a middle portion which cannot be seen due to the display and handle 54 is a separate handlebar, Applicants submit that one skilled in the art would readily envision middle portion 54 based on the description in the last paragraph on page 7 in the application and would understand that middle portion 54 is connected to the middle part of handle bar 46, as discussed at page 7, lines 13-14. In this regard, Applicants submit that the Examiner is confusing "middle portion" with "middle part" as those terms are used in the specification, e.g., in the last paragraph on page 7.

Further, Applicants submit that the description in the last paragraph on page 7 in the specification (including the disclosure that the middle portion can extend back from a middle part of the front portion and that, when not desired, the middle portion either can be pivoted so that it hangs down from the front portion or can be removed) would enable one skilled in the art to realize the linear, horizontal element of the proposed drawing in addition to how it would be attached to the handle bar 46.

Thus, Applicants submit that claims 6-12 and 18-24 satisfy the requirements of 35 U.S.C. 112, first paragraph, and reversal of this rejection is respectfully requested.

Obviousness Rejection over Moon et al in view of Derksen

On page 4 of the Office Action of July 27, 2006, in paragraph 4, claims 1-5 and 13-18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Moon et al in view of Derksen.

The Examiner's Position

The Examiner indicates that Moon et al teaches all of Applicants' claimed invention except for the specific widths claimed. The Examiner's position is basically that in view of the well recognized use of treadmills for training horses as shown in Derksen, it would have been obvious to enlarge the Moon et al treadmill to any desirable width for accommodating any desired animal for exercise purposes. The Examiner indicates that Derksen is considered to be from an analogous art as Moon, since both include rollers and belts and therefore inherently have belt widths, and both are used to

exercise mammals for a gaiting type exercise. The Examiner indicates that an enlarged treadmill width would be desired to accommodate extremely large persons or animals and is considered a design choice that carries no patentable weight. As to method claims 13-18, the Examiner indicates that such a sized treadmill could be used for any desired function, such as accommodating plural animals. The Examiner indicates that plural animals include two children, so some of the claims are met without modifying the Moon device. The Examiner indicates that Applicants have merely taken Moon's Figure 1 treadmill and made it wider, and the Examiner asserts that where a change in size of a prior art reference merely represents a change in degree, and not a change in kind, such a change is a design consideration within the skill of the art. Finally, the Examiner contends that the Kelsey et al treadmill width, when viewed with respect to the relative dimensions of the use and the treadmill, as shown in Figure 5, appears to be approximately 40-45 inches wide.

Applicants' Response

Applicants respectfully submit that the present invention is not obvious over Moon et al in view of Derksen, and request that the Board reverse this rejection in view of the following remarks.

Claims 1-5 and 13-18 Overall

(1) Applicants submit that one of ordinary skill in the art would not have combined Moon et al and Derksen.

Specifically, Moon et al is directed to a treadmill having a control panel positioned in such a manner as to minimize the likelihood of a user's foot striking a forward part of the treadmill's stationary base when the user is accessing the control

panel (see, e.g., col. 1, lines 20-35). Thus, the Moon et al treadmill is directed to a user who would be on the treadmill and accessing the control panel.

In contrast, Derksen is discloses a treadmill used by a horse.

Since a horse is not a treadmill user that would be accessing a control panel, one of ordinary skill in the art would not have applied the teachings of Derksen to Moon et al.

That is, one of ordinary skill in the art would not have made the belt of the Moon et al treadmill wide enough to accommodate a horse, because the Moon et al treadmill, with its specifically positioned control panel, is not intended to be used by a horse.

Rather, the Moon et al treadmill is intended to be used by a person, since a person is a user who would access a control panel. That is, the desired animal using Moon for exercise purposes is a person, and thus one would not modify Moon to suit a horse.

In this regard, as can be seen from the use of treadmills with standard sized belts by extremely large people in fitness clubs, an extremely large person can use a treadmill with a standard sized belt. Since an extremely large person can use a treadmill with a standard sized belt in a fitness club, one of ordinary skill in the art would not have been motivated to enlarge the belt in Moon et al, particularly since such would have added to the cost of the Moon et al treadmill.

Applicants note that the Examiner has cited Figure 5 from Kelsey, although Kelsey is not included in the statement of the rejection (that claims 1-5 and 13-18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Moon et al in view of Derksen). Nevertheless, Applicants note that this reference is also directed to a single person using a treadmill, and there is no reason why one would make the belt wide enough to be used by two treadmill users as in the present invention. Applicants submit

that there is no specific disclosure in this reference as to the size of its belt, and Applicants submit that a figure should not be used to teach a particular size.

Thus, one of ordinary skill in the art would not have modified Moon in view of Derksen, and that claim 1 and the claims dependent thereon are not obvious over Moon et al in view of Derksen accordingly.

(2) With respect to the Examiner's indication that the size change is a matter of degree, not kind, and that it does not produce a new form of exercise equipment but rather the size change merely enlarges the size of the treadmill, Applicants submit that their wider treadmill is not merely a change in degree, but rather is a change in kind and produces a new form of exercise equipment. In this regard, Applicants submit that their wider treadmill enables a completely new form of treadmill exercising, namely, exercising by two treadmill users side-by-side on the same treadmill, which is neither taught nor suggested by either Moon or Derksen. Since the present invention provides a completely new form of exercising, Applicants submit that it is a change in kind. Indeed, Applicants submit a treadmill which results in a completely new form of treadmill exercising represents a new form of exercise equipment and thus is a change in kind for this additional reason.

The invention product permits two treadmill users to exercise side-by-side while holding hands, which has not been possible previously, either in Moon or elsewhere. Thus, the invention is directed to an entirely different market than that targeted by Moon, namely, companion exercisers rather than a solo exerciser. This is a change in kind, not a change in degree.

Additional Reasoning for Patentability of Method Claims 13-18

In regard to method claims 13-18, Applicants submit that these claims are also not obvious because the cited references neither teach nor suggest that more than one user can be using the treadmill at one time, and thus neither teach nor suggest the claimed method for exercising two treadmill users positioned side-by-side on the belt of a treadmill. Accordingly, even if the belt in Moon et al were wide enough to accommodate plural animals (which Applicants submit would not have been the case, as discussed above), there is still no teaching or suggestion in the cited art which would lead one to have actually exercised plural animals on such a belt.

That is, with respect to the Examiner's assertion that a modified version of Moon could be used for any desired function, such as accommodating plural animals, Applicants submit that the function of accommodating plural animals was not recognized at all in either Moon or Derksen (the Moon treadmill is intended to be used by one person at a time, and the Derksen treadmill is intended to be used by one horse at a time), let alone be recognized as a desired function, so one would not have been led to the presently claimed method from Moon in view of Derksen.

With respect to Moon in particular, Applicants submit that Moon does not contemplate accommodating plural animals, and there is no reason why one of ordinary skill in the art would look to Moon to accommodate plural animals. Moon simply represents a standard sized treadmill, which one of ordinary skill in the art would consider suitable for use by a single user. Two children would not use the Moon treadmill side-by-side because there is no teaching or suggestion to do such, and further the Moon treadmill is too narrow and thus there would be a danger of falling and suffering injury. Similarly, two small adults would not use the Moon treadmill side-by-

side because there is no teaching or suggestion to do such, and further that treadmill is too narrow and thus there would be a danger of falling and suffering injury.

With respect to the Examiner's assertion that plural animals would include two children, Applicants submit that accommodating two children was not recognized at all in Moon (or Derksen), let alone be recognized as a desired function, so one would not have been led to the presently claimed method from Moon (even in view of Derksen).

Moreover, even if Moon were used by two children (which Applicants submit would not have been the case, as discussed above), Applicants submit that the children would have been positioned one in front of the other, as the normal mode of using a standard treadmill is have both hands on handle bar, not side-by-side as recited in the present claims.

Thus, Applicants submit that claim 13 and the claims dependent thereon are not obvious over Moon et al in view of Derksen for the above additional reasoning.

Further Reasoning for Patentability of Claim 18 in Particular

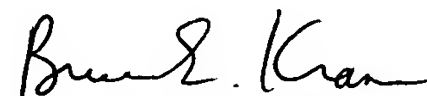
As to claim 18 in particular, Applicants submit that this claims is further patentable because the cited art combination neither teaches nor suggests an embodiment which includes a handle bar having a middle portion that can extend back from a middle part of the front portion of the handle bar. The middle portion can be grasped by the right hand of the left user and/or by the left hand of the right user of the claimed treadmill, and such is simply not contemplated by Moon et al and Derksen.

Thus, Applicants submit that the present invention is not obvious over the cited art, and reversal of this rejection is respectfully requested.

Conclusion

In view of the above remarks, Applicants submit that the present invention is patentable, and reversal of the rejections is respectfully requested.

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "Bruce E. Kramer", is written over a horizontal line.

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CLAIMS APPENDIX

The claims involved in the appeal are as follows:

1. A treadmill comprising a base, a pair of parallel, spaced rollers rotatably disposed in the base, and an endless belt extending around both rollers, wherein the belt has a width which is large enough to accommodate two treadmill users side-by-side, wherein the treadmill further comprises a control panel for a treadmill user on the treadmill.

2. A treadmill as claimed in claim 1, wherein the belt has a width which is large enough to accommodate two adult people side-by-side.

3. A treadmill as claimed in claim 1, wherein the belt has a width which is large enough to accommodate an adult person and a dog side-by-side.

4. A treadmill as claimed in claim 1, wherein the belt has a width of at least 36 inches.

5. A treadmill as claimed in claim 1, wherein the belt has a width of at least 45 inches.

6. A treadmill as claimed in claim 1, wherein the treadmill has a handle bar comprising a front portion and left and right side portions, wherein the handle bar further comprises a middle portion which can extend back from a middle part of the front portion.

7. A treadmill comprising a base, two pairs of parallel, spaced rollers rotatably disposed in the base, and two endless belts, wherein one belt extends around both rollers in one pair of rollers and the other belt extends around both rollers in the other pair of

rollers, wherein each belt has a width which is large enough to accommodate one treadmill user, and wherein the two belts are positioned to accommodate two treadmill users side-by-side.

8. A treadmill as claimed in claim 7, wherein each belt has a width which is large enough to accommodate an adult person.

9. A treadmill as claimed in claim 7, wherein one belt has a width which is large enough to accommodate an adult person; and the other belt has a width which is large enough to accommodate a dog.

10. A treadmill as claimed in claim 7, wherein the belts move independently of each other.

11. A treadmill as claimed in claim 10, wherein the belts can be inclined independently of each other.

12. A treadmill as claimed in claim 7, wherein the treadmill has a handle bar comprising a front portion and left and right side portions, wherein the handle bar further comprises a middle portion which can extend back from a middle part of the front portion.

13. A method for two treadmill users to exercise side-by-side on a single treadmill, comprising

providing a treadmill comprising a base, a pair of parallel, spaced rollers rotatably disposed in the base, and an endless belt extending around both rollers, wherein the belt has a width which is large enough to accommodate two treadmill users side-by-side, and

moving the belt to exercise two treadmill users positioned side-by-side on the belt.

14. A method as claimed in claim 13, wherein the belt has a width which is large enough to accommodate two adult people side-by-side.

15. A method as claimed in claim 13, wherein the belt has a width which is large enough to accommodate an adult person and a dog side-by-side.

16. A method as claimed in claim 13, wherein the belt has a width of at least 36 inches.

17. A method as claimed in claim 13, wherein the belt has a width of at least 45 inches.

18. A method as claimed in claim 13, wherein the treadmill has a handle bar comprising a front portion and left and right side portions, wherein the handle bar further comprises a middle portion which can extend back from a middle part of the front portion.

19. A method for two treadmill users to exercise side-by-side on a single treadmill, comprising

providing a treadmill comprising a base, two pairs of parallel, spaced rollers rotatably disposed in the base, and two endless belts, wherein one belt extends around both rollers in one pair of rollers and the other belt extends around both rollers in the other pair of rollers, wherein each belt has a width which is large enough to accommodate one treadmill user, and wherein the two belts are positioned to accommodate two treadmill users side-by-side, and

moving the belts to exercise two treadmill users positioned side-by-side on the belts.

20. A method as claimed in claim 19, wherein each belt has a width which is large enough to accommodate an adult person.

21. A method as claimed in claim 19, wherein one belt has a width which is large enough to accommodate an adult person, and the other belt has a width which is large enough to accommodate a dog.

22. A method as claimed in claim 19, wherein the belts move independently of each other.

23. A method as claimed in claim 22, wherein the belts can be inclined independently of each other.

24. A method as claimed in claim 19, wherein the treadmill has a handle bar comprising a front portion and left and right side portions, wherein the handle bar further comprises a middle portion which can extend back from a middle part of the front portion.

EVIDENCE APPENDIX

In the event that U.S. Patents 5,607,376 and 4,204,673 (relied upon by Applicants to show the knowledge in the art as to how an extra pair of rollers is supported on a frame) are considered to be evidence, copies of those patents are attached to this Appeal Brief.

RELATED PROCEEDINGS APPENDIX

None.